

MEMORANDUM

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

Water Quality Division
Larry G. Lawson, P.E., Director

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SUBJECT: Guidance Memorandum Number 04-2001
Implementation of the VPDES General Permit for Discharges from Petroleum Contaminated Sites and Hydrostatic Discharges

TO: Regional Directors

FROM: Larry Lawson, P.E., Director



DATE: January 15, 2004

COPIES: Ground Water Managers, Permit Managers, Jon van Soestbergen, Fred Cunningham, James Barnett, Cindy Berndt

Summary:

On August 26, 2002, the State Water Control Board adopted the General VPDES Permit Regulation for Discharges from Petroleum Contaminated Sites and Hydrostatic Tests (9 VAC 25-120-10 et seq.). The effective dates of this permit are February 26, 2003 through February 25, 2008. This permit regulation replaces the General VPDES Permit for Discharges from Petroleum Contaminated Sites that expired on February 24, 2003.

This guidance is intended to aid permit writers with the management of sites requesting and having coverage under this permit. A copy of the adopted regulation and the permit fact sheet are attached to provide staff with additional information. This guidance document also contains example letters that staff may use for the administration of this regulation along with forms that permittees may use to request termination of coverage and transfer of ownership.

This guidance will be incorporated into the next edition of the Storage Tank Program Technical Manual.

Electronic Copy:

An electronic copy of this guidance in PDF format is available for staff internally on DEQNET, and for the public on DEQ's website at: <http://www.deq.state.va.us/water/>.

Contact Information:

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Disclaimer

This document provides procedural guidance to the DEQ staff. This document is guidance only. It does not establish or affect legal rights or obligations. It does not establish a binding norm and is not finally determinative of the issues addressed. Agency decisions in any particular case will be made by applying the State Water Control Law and the implementation regulations on the basis of site-specific facts.

Introduction

On August 26, 2002, the State Water Control Board adopted the General VPDES Permit Regulation for Discharges from Petroleum Contaminated Sites and Hydrostatic Tests (9 VAC 25-120-10 et seq., attached). The effective dates of this permit are February 26, 2003 through February 25, 2008. This permit regulation replaces the General VPDES Permit for Discharges from Petroleum Contaminated Sites that expired on February 24, 2003. Persons who were permitted to discharge under the expired permit who wish to continue to discharge under a general permit must register for coverage under this new permit.

Activities Covered by this General Permit

This general permit has been expanded in scope to cover point source discharges from both petroleum contaminated sites and hydrostatic tests. This general permit continues to cover point source discharges of petroleum contaminated water from a variety of activities including excavation dewatering, purging ground water monitoring wells, aquifer tests, hydrostatic testing of petroleum storage tanks or pipelines, ground water recovery associated with the cleanup of petroleum contaminated sites, and other petroleum product cleanup activities approved by DEQ. The limits of this permit are designed to address discharges of petroleum contaminated water and discharges of hydrostatic test water from natural gas pipelines. Additional information about the permit effluent limits may be found in the attached General Permit fact sheet. Discharges not associated with petroleum contaminated water or hydrostatic tests of natural gas pipelines should be authorized under another permit.

Registration Statement Review

Persons seeking coverage under this permit must submit a registration statement to the pertinent regional office. DEQ staff should send the attached general permit registration statement and accompanying instructions to those persons or entities that may need coverage under the permit. An example transmittal letter that may be sent to prospective permittees along with the registration statement and instructions is attached. Staff may modify this transmittal letter as needed, however, the required elements of the transmittal letter (see attachment) should be included in each transmittal letter.

DEQ regional staff will review registration statements submitted by prospective permittees to determine if coverage may be granted under this permit. Staff should consider the guidelines discussed below when reviewing registration statements and determining if a discharge may be covered under this permit.

Questions 1 – 6 Facility and Owner Information

These questions provide information about the prospective permittee and the discharge location.

Question 7 Site Characterization Report

This question asks if a Site Characterization Report (SCR) has been submitted for the site and provides a cross reference to potential ongoing remedial actions at the site. If a SCR has been submitted, the permit writer may wish to review the SCR before processing the registration statement to ensure that the permit coverage requested is likely to address all of the anticipated discharge activities at the site.

Question 8 Availability of Central Wastewater Treatment Facility

This question asks if central wastewater treatment facilities are available and, if so, what is the possibility of discharging to the central wastewater treatment facility. Proposed discharges in locations that are not served by or have access to central sewer lines may be granted coverage under this permit. If a central sewer line is available but the operator of the wastewater treatment facility has denied the applicant access

to the sewer, coverage may be granted under the permit.

Generally, persons having the option of discharging to a central wastewater treatment facility should send the effluent to that location and not be issued coverage under this permit. The general permit should not be used as a means of encouraging a proliferation of surface water discharges. Permit writers need to be cognizant, however, that the costs associated with discharging petroleum-contaminated water may, at many sites, be reimbursable from the Virginia Petroleum Storage Tank Fund and the DEQ has a responsibility to ensure that the fund provides reimbursement for activities that are necessary for corrective action at the site. At those sites that are eligible for reimbursement from the fund, staff may consider the relative costs associated with discharging to a central wastewater treatment facility versus the costs associated with a general permit and use the cost differential as a basis for justifying the issuance of coverage under the general permit.

Questions 9 and 10 Pollution Complaints and Permits at the Site

These questions are used to relate the proposed discharge to other activities under DEQ's oversight at the facility.

Question 11 Hazardous Waste

This question asks if the discharged material may be classified as a hazardous waste. The general permit regulation specifically prohibits the discharge of hazardous wastes. If the applicant indicates that the materials that will be discharged are hazardous wastes, the permit writer should deny coverage under the permit and DEQ waste staff should be informed of the activities proposed for the site.

Question 12 Discharge Location

This question requires the person seeking coverage under the permit to provide information about the discharge location. The permit writer should consult the Water Quality Standards to determine if the discharge may be permitted. Persons cannot be issued coverage under this permit to discharge to waters listed as public water supplies. Also, there are other waters listed in the Water Quality Standards that are protected from discharges.

The Water Quality Standards also provide information about the fresh or saltwater classification of the receiving water body. If the receiving water body is listed in the Standards as freshwater, the effluent limits for freshwater apply. Conversely, if the receiving waters are saltwater, the saltwater limits apply.

Question 13 Diagram of the Proposed Wastewater Treatment System

There are no specific requirements for the system diagram. The diagram of the system may be as simple as a line drawing or flowchart or it may be detailed engineering plans. In all cases, enough information must be provided to allow the permit writer to determine if the proposed system is likely to treat the wastewater to the point that the effluent can meet the discharge limits. If the permit writer believes that the information is insufficient or the treatment system is unlikely to produce an effluent that can meet the permit limits, permit coverage should be denied.

Question 14 Topographic Map

This map will help the permit writer to determine the potential for adverse impact to public water supplies or other protected water bodies.

After question 14, there is a box for DEQ use only. The permit writer should fill in information on stream basin, class, section, and special standards in order to ensure that discharges are not authorized into waters where such discharges are prohibited.

Question 15 Type of Petroleum Product

The effluent limits are based upon the nature of the receiving waters (fresh or saltwater) and the type(s) of petroleum product encountered.

Question 16 Proposed Discharge Activities

The permittee should identify all of the potential sources of wastewater discharges at the site. Since each activity is considered a separate outfall, it is important to identify them individually at the permit coverage is requested. Otherwise, the permittee will have to re-submit the registration statement in order to obtain coverage for activities not listed on the original registration statement. For example, if discharges will occur from both an aquifer pump test and the long-term recovery of ground water as part of remediation system, then both of these activities should be checked on the registration statement. Permit writers also may confirm the activities listed on the registration statement with the applicant prior to processing the registration statement.

Questions 17 – 20 Discharge Information

The answers to these questions provide information about the expected volume and duration of the discharge.

The end of the registration statement has a box for DEQ use only. The permit writer should initial his/her acceptance or non-acceptance of the proposed discharge for coverage under the permit in this space.

Permit Processing Guidelines

This general permit is exempt from the requirements of the Permit Fee Regulation (9 VAC 25-20-130). If the applicant previously held an individual permit at the site, antibacksliding must be considered prior to granting coverage under this general permit. Backsliding should be evaluated on a case-by-case basis in accordance with the VPDES Permit Regulation.

A determination has already been made that new or increased discharges covered by the general permit will not result in significant effects to receiving waters. Therefore, permit writers do not have to conduct a case-by-case antidegradation review for new or increased discharges.

Once it is determined that the registration statement represents a facility that qualifies for coverage, the general permit pages may be prepared. The cover page (printed on DEQ letterhead), appropriate Part I effluent limits pages, Part I B special conditions, and Part II boilerplate should be assembled with the general permit number of the facility entered on the upper right corner of each page. Permit writers should be sure to make the final Part I page count and add page numbers to the upper right corner of the Part I pages. The pages of Part II are already numbered. The outfall numbers also must be added at the end of the first sentence on each effluent limitations page. Each discharge activity proposed for the site should be assigned a separate outfall number so that the Discharge Monitoring Reports (DMRs) can be properly developed. More than one outfall number may be listed on the applicable limitations page. No other changes to the language of the general permit are authorized.

Permit numbers are assigned by the regional office. All permit numbers begin with the characters: VAG83. The remaining four spaces are numbers that identify the discharge. The regions should assign these four remaining numbers sequentially within the following blocks of numbers.

Southwest Region	0001 - 0999
Valley Region	1000 - 1999
West Central Region	2000 - 2999
Tidewater Region	3000 - 3999
Piedmont Region	4000 - 4999
Northern Region	6000 - 6999
South Central Region	7000 - 7999

If a Regional Office needs additional numbers, they should contact DEQ Central Office so that an additional block of numbers may be assigned. Staff should remember that the last four digits of the permit number need to be typed onto all of the permit pages (including the cover page) before the permit is mailed to the permittee.

The general permit requires monthly monitoring and reporting. DMRs are necessary for reporting and compliance tracking. All outfalls described in the registration statement should be listed on the effluent limits page and on the DMR, so that there is indication in the permit of what outfalls require sampling. Each outfall is required to have a separate DMR. The DMRs should be prepared to include the applicable limitations and monitoring requirements that reflect the Part I A page(s) assigned to the outfall. If the contamination involves leaded gasoline, then the DMR must include lead and hardness. Otherwise, these parameters should not be listed on the DMR. Monitoring for semi-volatile and volatile organics and heavy metals is required in those cases where the contamination involves used oil. Semi-volatile and volatile organics and heavy metals should be listed on the DMR in the cases involving used oil, but the monitoring frequency for these parameters is annual, not monthly. Semi-volatile and volatile organics and heavy metals should be placed on the DMR only when used oil is one of the petroleum products that has contributed to water contamination at the site.

Once the DMRs are ready, staff should send a transmittal letter, the DMRs, and a copy of the fact sheet to the permittee. Staff also should keep a copy of these documents for the regional file. It is not necessary for regional staff to copy DEQ Central Office or EPA on individual coverage issued under a general permit. An example transmittal letter that staff may use is attached. Staff may modify the transmittal letter as needed to address site conditions. A list of items that need to be addressed in all transmittal letters is attached. Permit writers should note that the transmittal letter for coverage under a general permit does not contain the two paragraphs referencing the owner's right to appeal the decision to cover them under the permit.

DMRs are due on the tenth of the month following the monitoring. The annual samples for organics and metals at used oil sites must be collected within three days of commencing discharge, so the DMR for them should be submitted by the tenth of the month following the date that the discharge was initiated. Tracking of compliance with the limits and other requirements of the general permit should be done according to the Compliance Auditing System already established for VPDES Permits. Reporting requirements for noncompliance, unusual or extraordinary discharges, etc. are the same as for an individual permit.

Tracking of coverage under this general permit will be performed in CEDS. Hard copy files of discharges covered under this permit should contain a copy of the registration statement, general permit and DMRs sent to the owner, transmittal letter, and any inspection reports. It is important that the CEDS database is kept updated with the list of permittees and contact information, their permit numbers, and the effluent limits pages that are applicable to each permittee.

The permit allows the permittee to request termination of coverage for some or all of the activities identified on the registration statement. Termination of coverage for activities that no longer discharge to the environment will relieve the permittee of the responsibility for filing DMRs for outfalls that no longer are active. The termination request for inactive outfalls should be processed as a minor modification of the permit. The Regional Office should send a confirmation to the permittee that his/her request to terminate coverage for specific outfalls has been granted. A copy of that confirmation should be sent to the Compliance Auditor, so that the reporting requirement for that outfall can be deleted from the tracking system. The information in CEDS also should be updated to reflect this change in status. Permittees who wish to add outfalls for activities not identified on the original registration statement should file amended registration statements and be issued new DMRs for the new outfalls. These new outfalls should be recorded in the compliance tracking and CEDS databases. A form that permittees may use to request termination of coverage for individual outfalls or all discharges is attached.

If there is a request for a change of ownership, then the new owner assumes the coverage under the general permit and the permit number does not change. The new owner may submit a new registration statement, but it is not necessary. Part II of the permit allows for the automatic transfer of ownership if the 30 day prior notice and the required written agreement between the new and old owners are provided. The other change of ownership requirements and procedures from the VPDES Permit Regulation and the VPDES Permit Manual that are common to all VPDES permits apply here as well. Any change of status should be noted in CEDS. A change of ownership form that may be used to transfer permit coverage from one entity to another is attached.

Facilities covered under the general permit are subject to the inspection strategy in the industrial small category. These facilities should be inspected at least once every five years. The inspectors should check for compliance with the technical aspects of the permit, including but not limited to the presence of an O&M manual, and for overflows, by-passes, and other indications of a failed system. Also, the inspector should review the DMR data to determine whether the facility has been submitting representative data in accordance with the monitoring, analytical and reporting requirements of the general permit.

The permittee must submit a new registration statement within 180 days of the expiration of this general permit if continued coverage is desired. Since this date will be the same for all those covered by the permit, any reminder letters sent out would be a mass mailing of some kind. DEQ Central Office will provide further guidance when the permit nears expiration.

Attachments:

1. General Permit Regulation
2. General Permit Fact Sheet

3. Registration Statement and Instructions
4. Letter Requirements and Example Letters
5. Termination of Coverage Request
6. Transfer of Ownership Agreement

**GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION
SYSTEM (VPDES) PERMIT REGULATION FOR DISCHARGES FROM
PETROLEUM CONTAMINATED SITES AND HYDROSTATIC TESTS**

9 VAC 25-120-10 et seq.

9 VAC 25-120-10 et seq. - GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION
SYSTEM (VPDES) PERMIT REGULATION FOR DISCHARGES FROM PETROLEUM
CONTAMINATED SITES AND HYDROSTATIC TESTS

Adopted - Effective February 26, 2003

9 VAC 25-120-10 Definitions

The words and terms used in this regulation shall have the meanings defined in the State Water Control Law and 9 VAC 25-31-10 et seq. (VPDES Permit Regulation) unless the context clearly indicates otherwise, except that for the purposes of this regulation:

“Central Wastewater Treatment Facilities” means any facility that treats (for disposal, recycling, or recovery of materials) or recycles hazardous or non-hazardous waste, hazardous or non-hazardous industrial wastewater, and/or used material from offsite. This includes both a facility that treats waste received from off-site exclusively, and a facility that treats waste generated on-site as well as waste received from off site.

"Petroleum products" means petroleum-based substances comprised of a complex blend of hydrocarbons derived from crude oil such as motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents and used oils. Petroleum products does not include hazardous waste as defined by the Virginia Hazardous Waste Regulations, 9 VAC 20-60-10 et seq.

9 VAC 25-120-20 Purpose

This general permit regulation governs the discharge of wastewaters from sites contaminated by petroleum products and the hydrostatic testing of petroleum and natural gas storage tanks and pipelines. These wastewaters may be discharged from the following activities: excavation dewatering, bailing ground water monitoring wells, conducting aquifer tests to characterize site conditions, hydrostatic tests of natural gas and petroleum storage tanks or pipelines, hydrostatic tests of underground and above ground storage tanks, pumping contaminated ground water to remove free product from the ground, or discharges resulting from another petroleum product cleanup activity approved by the Department of Environmental Quality. Discharges not associated with petroleum contaminated water or hydrostatic tests are not covered under this general permit.

9 VAC 25-120-30 [Repealed]

9 VAC 25-120-31 [Repealed]

9 VAC 25-120-40 Delegation of Authority

The Director, or an authorized representative, may perform any act of the Board provided under this regulation, except as limited by Section 62.1-44.14 of the Code of Virginia.

9 VAC 25-120-50 Effective Date of the Permit

This general permit will become effective on February 26, 2003. This general permit will expire five years from the effective date. This general permit is effective as to any covered owner upon compliance with all the provisions of 9 VAC 25-120-60 and the receipt of this general permit.

9 VAC 25-120-10 et seq. - GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES) PERMIT REGULATION FOR DISCHARGES FROM PETROLEUM CONTAMINATED SITES AND HYDROSTATIC TESTS

9 VAC 25-120-60

Authorization to Discharge

A. Any owner governed by this general permit is hereby authorized to discharge to surface waters within the Commonwealth of Virginia provided that the owner files and receives acceptance by the Board of the Registration Statement of 9 VAC 25-120-70, complies with the applicable effluent limitations and other requirements of 9 VAC 25-120-80, and provided that:

1. Individual Permit

The owner has not been required to obtain an individual permit according to 9 VAC 25-31-170 B;

2. Prohibited Discharge Locations

The owner shall not be authorized by this general permit to discharge to state waters designated as public water supplies or specifically named in other Board regulations or policies which prohibit such discharges; and

3. Central Wastewater Treatment Facilities

The owner shall not be authorized by this general permit to discharge to surface waters where there are permitted central wastewater treatment facilities reasonably available, as determined by the Board.

B. Receipt of this general permit does not relieve any owner of the responsibility to comply with any other appropriate federal, state or local statute, ordinance or regulation.

9 VAC 25-120-70

Registration Statement

The owner shall file a complete VPDES general permit registration statement for discharges from petroleum contaminated sites and hydrostatic tests. Any owner proposing a new discharge shall file a complete registration statement at least 30 days prior to the date planned for commencing operation of the new discharge. Any owner of an existing discharge covered by an individual VPDES permit who is proposing to be covered by this general permit shall file the registration statement at least 180 days prior to the expiration date of the individual VPDES permit. Any owner of an existing discharge not currently covered by a VPDES permit who is proposing to be covered by this general permit shall file a complete registration statement. The required registration statement shall contain the following information:

1. Legal name of facility;
2. Location of facility, address, and telephone number;
3. Facility owner name, address, and telephone number;
4. Nature of business conducted at the facility;
5. Type of petroleum or natural gas product(s) causing or that caused the contamination;

9 VAC 25-120-10 et seq. - GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES) PERMIT REGULATION FOR DISCHARGES FROM PETROLEUM CONTAMINATED SITES AND HYDROSTATIC TESTS

6. Identification of activities that will result in a point source discharge from the contaminated site;
7. Whether a site characterization report for the site has been submitted to the Department of Environmental Quality;
8. The location of the discharge point and identification of the waterbody into which the discharge will occur;
9. The frequency with which the discharge will occur (i.e. daily, monthly, continuously);
10. An estimate of how long each discharge will last;
11. An estimate of the total volume of wastewater to be discharged;
12. An estimate of the flow rate of the discharge;
13. A diagram of the proposed wastewater treatment system identifying the individual treatment units;
14. A topographic map or other map which indicates the receiving waterbody name, the discharge point(s), the property boundaries, as well as springs, other surface waterbodies, drinking water wells, and public water supplies, which are identified in the public record or are otherwise known to the applicant, within a ½ mile radius of the proposed discharge(s).
15. Whether central wastewater facilities are available to the site, and if so, whether the option of discharging to the central wastewater facility has been evaluated and the results of that evaluation;
16. Whether the facility currently has a permit issued by the Board, and if so, the permit number;
17. Any applicable pollution complaint number;
18. A statement as to whether the material being treated or discharged is certified as a hazardous waste under the Virginia Hazardous Waste Regulation, 9 VAC 20-60-10 et seq.;
19. The following certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information is submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and

9 VAC 25-120-10 et seq. - GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION
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imprisonment for knowing violations. I do also hereby grant duly authorized agents of the
Department of Environmental Quality, upon presentation of credentials, permission to
enter the property for the purpose of determining the suitability of the general permit.

The registration statement shall be signed in accordance with 9 VAC 25-31-110.

9 VAC 25-120-10 et seq. - GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION
SYSTEM (VPDES) PERMIT REGULATION FOR DISCHARGES FROM PETROLEUM
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9 VAC 25-120-80

General Permit

Any owner whose request for coverage under this general permit is accepted by the Board shall comply with the requirements of the general permit and be subject to all requirements of Section 9 VAC 25-31-170 B of the VPDES Permit Regulation. Not all pages of Part I A of the general permit will apply to every permittee. The determination of which pages apply will be based on the type of contamination at the individual site and the nature of the waters receiving the discharge. Part I B and all pages of Part II apply to all permittees.

General Permit No.: VAG83

Effective Date: February 26, 2003

Expiration Date: February 25, 2008

GENERAL VPDES PERMIT FOR DISCHARGES FROM PETROLEUM CONTAMINATED SITES
AND HYDROSTATIC TESTS

AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA POLLUTANT DISCHARGE
ELIMINATION SYSTEM PERMIT PROGRAM AND THE VIRGINIA STATE WATER
CONTROL LAW

In compliance with the provisions of the Clean Water Act, as amended, the State Water Control Law and regulations adopted pursuant thereto, the owner is authorized to discharge to surface waters at the locations identified in the accepted Registration Statement within the boundaries of the Commonwealth of Virginia, except to designated public water supplies or waters specifically named in other Board Regulations or Policies which prohibit such discharges.

The authorized discharge shall be in accordance with this cover page, Part I - Effluent Limitations and Monitoring Requirements and Part II - Conditions Applicable to all VPDES Permits, as set forth herein.

If there is any conflict between the requirements of a Department of
Environmental Quality approved cleanup plan and this Permit, the requirements of this
Permit shall govern.

9 VAC 25-120-10 et seq. - GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES) PERMIT REGULATION FOR DISCHARGES FROM PETROLEUM CONTAMINATED SITES AND HYDROSTATIC TESTS

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. GASOLINE CONTAMINATION - FRESHWATER RECEIVING WATERS

During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge to freshwater receiving waterbodies from outfall serial number _____. Samples taken in compliance with the monitoring requirements specified below shall be taken at the following location: Outfall from the final treatment unit prior to mixing with any other waters.

Such discharges shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>DISCHARGE LIMITATIONS</u>		<u>MONITORING REQUIREMENTS</u>	
	<u>Instantaneous Minimum</u>	<u>Instantaneous Maximum</u>	<u>Frequency</u>	<u>Sample Type</u>
Flow (MGD)	NA	NL	1/Month	Estimate
Benzene (ug/l)*	NA	50	1/Month	Grab
Toluene (ug/l)*	NA	175	1/Month	Grab
Ethylbenzene (ug/l)*	NA	320	1/Month	Grab
Total Xylenes (ug/l)*	NA	82	1/Month	Grab
MTBE (methyl tert-butyl ether) (ug/l)*	NA	1,840	1/Month	Grab
pH (standard units)**	6.0	9.0	1/Month	Grab
Total Recoverable Lead (ug/l)***	NA	$e^{(1.273(\ln \text{ hardness})) - 4.705}$	1/Month	Grab
Hardness (mg/l as CaCO ₃) ***	NL	NL	1/Month	Grab

NL = No Limitation, monitoring required. NA = Not Applicable

* Benzene, Toluene, Ethylbenzene, Total Xylenes and MTBE shall be analyzed according to EPA Method 602 (40 CFR 136, 1996) or EPA SW 846 Method 8021B (1996).

** pH may be determined in the field using EPA Method 150.1 (EPA 600/4-87-020) or EPA SW 846 Method 9040B.

9 VAC 25-120-10 et seq. - GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES) PERMIT REGULATION FOR DISCHARGES FROM PETROLEUM CONTAMINATED SITES AND HYDROSTATIC TESTS

*** Monitoring for this parameter is required only when contamination results from leaded fuel. Lead analysis shall be according to EPA Method 239.2 (40 CFR 136, 1996) or EPA SW 846 Method 7421 (1986). There are no limits for hardness. The minimum hardness concentration that will be used to determine the lead effluent limit is 25 mg/l.

9 VAC 25-120-10 et seq. - GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES) PERMIT REGULATION FOR DISCHARGES FROM PETROLEUM CONTAMINATED SITES AND HYDROSTATIC TESTS

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. CONTAMINATION BY PETROLEUM PRODUCTS OTHER THAN GASOLINE - FRESHWATER RECEIVING WATERS

During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge to freshwater receiving waterbodies from outfall serial number _____. Samples taken in compliance with the monitoring requirements specified below shall be taken at the following location: Outfall from the final treatment unit prior to mixing with any other waters. Such discharges shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>DISCHARGE LIMITATIONS</u>		<u>MONITORING REQUIREMENTS</u>	
	<u>Instantaneous Minimum</u>	<u>Instantaneous Maximum</u>	<u>Frequency</u>	<u>Sample Type</u>
Flow (MGD)	NA	NL	1/Month	Estimate
Naphthalene (ug/l)*	NA	62	1/Month	Grab
Total Petroleum Hydrocarbons (mg/l)**	NA	15	1/Month	Grab
pH (standard units)***	6.0	9.0	1/Month	Grab
Semi-volatile Organics****	NA	NL	1/Year*****	Grab
Volatile Organics****	NA	NL	1/Year*****	Grab
Dissolved Metals*****	NA	NL	1/Year*****	Grab

NL = No Limitation, monitoring required NA = Not Applicable

* Naphthalene shall be analyzed by one of the following methods: EPA Method 610 or 625 (40 CFR 136, 1996) or EPA SW 846 Method 8100 or 8270C (1996).

** TPH shall be analyzed using the Wisconsin Department of Natural Resources modified Diesel Range Organics test method as specified in Wisconsin publication SW-141 (1995), or by EPA Method SW 8015B (1996) for diesel range organics, or by EPA SW Method 8270C (1996). If 8270C is used, the lab must report the combination of diesel range organics and polynuclear aromatic hydrocarbons.

*** pH may be determined in the field by EPA method 150.1 (EPA 600/4-87-020) or EPA SW 846 method 9040B.

9 VAC 25-120-10 et seq. - GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES) PERMIT REGULATION FOR DISCHARGES FROM PETROLEUM CONTAMINATED SITES AND HYDROSTATIC TESTS

**** Monitoring for these parameters is required only when contamination is from used oils. The permittee shall report concentrations of all compounds or elements detected by the following analytical methods: Semi-volatile organics according to EPA Method 1625 (40 CFR 136, 1996) or EPA SW 846 Method 8270C (1996); volatile organics according to EPA Method 1624 (40 CFR 136, 1996) or EPA SW 846 Method 8260B (1996); Dissolved metals according to EPA Method 200.7 (40 CFR 136, 1996) or EPA SW 846 Method 6010B (1996) or other equivalent EPA 40 CFR Part 136 methods with comparable detection limits and target analyte specificity.

***** The first annual sample shall be collected within 72 hours of commencement of the discharge.

9 VAC 25-120-10 et seq. - GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES) PERMIT REGULATION FOR DISCHARGES FROM PETROLEUM CONTAMINATED SITES AND HYDROSTATIC TESTS

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

3. DISCHARGES OF HYDROSTATIC TEST WATERS – ALL RECEIVING WATERS

During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge to receiving waterbodies from outfall serial number _____. Samples taken in compliance with the monitoring requirements specified below shall be taken at the following location: Outfall from the final treatment unit prior to mixing with any other waters. Such discharges shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>DISCHARGE LIMITATIONS</u>		<u>MONITORING REQUIREMENTS</u>	
	<u>Instantaneous Minimum</u>	<u>Instantaneous Maximum</u>	<u>Frequency</u>	<u>Sample Type</u>
Flow (MGD)	NA	NL	1/discharge	Estimate
pH (standard units)*	6.0	9.0	1/discharge	Grab
Total Petroleum Hydrocarbons (TPH, mg/l)**	NA	15	1/discharge	Grab
Total Organic Carbon (TOC, mg/l)	NA	NL	1/discharge	Grab
Total Residual Chlorine (TRC, mg/l)	NA	0.011	1/discharge	Grab
Total Suspended Solids (TSS)	NA	NL	1/discharge	Grab

NL = No Limitation, monitoring required_

NA = Not Applicable

* pH may be determined in the field by EPA method 150.1 (EPA 600/4-87-020) or EPA SW 846 method 9040B.

** TPH shall be analyzed by the Wisconsin Department of Natural Resources modified Diesel Range Organics test method as specified in Wisconsin publication SW-141 (1995), or by EPA SW 846 Method 8015B (1996) for diesel range organics, or by EPA SW 846 Method 8270C (1996). If 8270C is used, the lab must report the combination of diesel range organics and polynuclear aromatic hydrocarbons.

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PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

4. GASOLINE CONTAMINATION - SALTWATER RECEIVING WATERS

During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge to saltwater receiving waterbodies from outfall serial number _____. Samples taken in compliance with the monitoring requirements specified below shall be taken at the following location: Outfall from the final treatment unit prior to mixing with any other waters.

Such discharges shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>DISCHARGE LIMITATIONS</u>		<u>MONITORING REQUIREMENTS</u>	
	<u>Instantaneous Minimum</u>	<u>Instantaneous Maximum</u>	<u>Frequency</u>	<u>Sample Type</u>
Flow (MGD)	NA	NL	1/Month	Estimate
Benzene (ug/l)*	NA	50	1/Month	Grab
Toluene (ug/l)*	NA	500	1/Month	Grab
Ethylbenzene (ug/l)*	NA	4.3	1/Month	Grab
Total Xylenes (ug/l)*	NA	74	1/Month	Grab
MTBE (methyl tert-butyl ether) (ug/l)*	NA	440	1/Month	Grab
pH (standard units)**	6.0	9.0	1/Month	Grab
Total Recoverable Lead (ug/l)***	NA	8.5	1/Month	Grab

NL = No Limitation, monitoring required

NA = Not Applicable

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* Benzene, Toluene, Ethylbenzene, Total Xylenes and MTBE shall be analyzed according to EPA Method 602 (40 CFR 136, 1996) or EPA SW 846 Method 8021B (1996).

** pH may be determined in the field using EPA Method 150.1 (EPA 600/4-87-020) or EPA SW 846 Method 9040B.

*** Monitoring for this parameter is required only when contamination results from leaded fuel. Lead analysis shall be performed according to EPA Method 239.2 (40 CFR 136, 1996) or EPA SW 846 Method 7421 (1986).

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PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

5. CONTAMINATION BY PETROLEUM PRODUCTS OTHER THAN GASOLINE - SALTWATER RECEIVING WATERS

During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge to saltwater receiving waterbodies from outfall serial number _____. Samples taken in compliance with the monitoring requirements specified below shall be taken at the following location: Outfall from the final treatment unit prior to mixing with any other waters. Such discharges shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>DISCHARGE LIMITATIONS</u>		<u>MONITORING REQUIREMENTS</u>	
	<u>Instantaneous Minimum</u>	<u>Instantaneous Maximum</u>	<u>Frequency</u>	<u>Sample Type</u>
Flow (MGD)	NA	NL	1/Month	Estimate
Naphthalene (ug/l)*	NA	23.5	1/Month	Grab
Total Petroleum Hydrocarbons (mg/l)**	NA	15	1/Month	Grab
pH (standard units)***	6.0	9.0	1/Month	Grab
Semi-volatile Organics****	NA	NL	1/Year*****	Grab
Volatile Organics****	NA	NL	1/Year*****	Grab
Dissolved Metals****	NA	NL	1/Year*****	Grab

NL = No Limitation, monitoring required

NA = Not Applicable

* Naphthalene shall be analyzed by one of the following methods: EPA 610 or 625 (40 CFR 136, 1996), or EPA SW 846 Methods 8100 or 8270C (1996).

** TPH shall be analyzed using either the Wisconsin Department of Natural Resources modified Diesel Range Organics test method as specified in Wisconsin publication SW-141 (1995) or EPA SW 846 Method 8270C (1996). If 8270C is used, the lab must report the combination of diesel range organics and polynuclear hydrocarbons.

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*** pH may be determined in the field using EPA method 150.1 (EPA 600-4-87-020) or EPA SW 846 Method 9040B.

**** Monitoring for these parameters is required only when contamination is from used oils. The permittee shall report concentrations of all compounds or elements detected by the following analytical methods: Semi-volatile organics according to EPA Method 1625 (40 CFR 136, 1996) or EPA SW 846 Method 8270C (1996); Volatile organics according to EPA Method 1624 (40 CFR 136, 1996) or EPA SW 846 Method 8260B (1998); Dissolved metals according to EPA Method 200.7 (40 CFR 136, 1996) or EPA_SW 846 Method 6010B(1996) or other equivalent EPA 40 CFR Part 136 methods with comparable detection limits and target analyte specificity.

***** The first annual sample shall be collected within 72 hours of commencement of the discharge.

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Part I

B. SPECIAL CONDITIONS

1. There shall be no discharge of floating solids or visible foam in other than trace amounts.
2. The permittee shall sample each permitted outfall each calendar month in which a discharge occurs. When no discharge occurs from an outfall during a calendar month, the discharge monitoring report for that outfall shall be submitted indicating "No Discharge".
3. **O & M Manual**
If the permitted discharge is through a treatment works, within 30 days of coverage under this general permit, the permittee shall develop and maintain on site, an Operations and Maintenance (O & M) Manual for the treatment works permitted herein. This manual shall detail practices and procedures which will be followed to ensure compliance with the requirements of this permit. The permittee shall operate the treatment works in accordance with the O & M Manual. The manual shall be made available to the Department upon request.
4. **Operation Schedule**
The permittee shall construct, install and begin operating the treatment works described in the Registration Statement prior to discharging to surface waters. The permittee shall notify the Department's Regional Office within 5 days after the completion of installation and commencement of operation.
5. **Materials Storage**
Except as expressly authorized by this permit or another permit issued by the Board, no product, materials, industrial wastes, or other wastes resulting from the purchase, sale, mining, extraction, transport, preparation, or storage of raw or intermediate materials, final product, by-product or wastes, shall be handled, disposed of, or stored so as to permit a discharge of such product, materials, industrial wastes, or other wastes to State waters.
6. If the permittee discharges to surface waters through a municipal separate storm sewer system, the permittee shall, within 30 days of coverage under this general permit, notify the owner of the municipal separate storm sewer system of the existence of the discharge and provide the following information: the name and location of the facility, a contact person and telephone number; the nature of the discharge; and the number of outfalls.
7. **Termination of Coverage**
Provided that the Department agrees that the discharge covered under this general permit is no longer needed, the permittee may request termination of coverage under the general permit, for the entire facility or for specific outfalls, by submitting a request for termination of coverage. This request for termination of coverage shall be sent to the Department's Regional Office with appropriate documentation or references to documentation already in the Department's possession. Upon the permittee's receipt of the

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Regional Director's approval, coverage under this general permit will be terminated. Termination of coverage under this general permit does not relieve the permittee of responsibilities under other Board regulations or directives.

PART II

CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Monitoring.

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under Title 40 Code of Federal Regulations Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.

B. Records.

1. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individual(s) who performed the sampling or measurements;
 - c. The date(s) and time(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical techniques or methods used; and
 - f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the registration statement for this permit, for a period of at least 3 years from the date of the sample, measurement, report or request for coverage. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Board.

C. Reporting Monitoring Results.

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to the Department's regional office.
2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the Department.
3. If the permittee monitors any pollutant specifically addressed by this permit more

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frequently than required by this permit using test procedures approved under Title 40 of the Code of Federal Regulations Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Department.

4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to Provide Information.

The permittee shall furnish to the Department, within a reasonable time, any information which the Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

E. Compliance Schedule Reports.

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized Discharges.

Except in compliance with this permit, or another permit issued by the Board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of Unauthorized Discharges.

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F, shall notify the Department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the Department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;

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5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the Department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of Unusual or Extraordinary Discharges.

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the Department within five days of discovery of the discharge in accordance with Part II I

2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of Noncompliance

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:

- a. Any unanticipated bypass; and
- b. Any upset which causes a discharge to surface waters.

2. A written report shall be submitted within 5 days and shall contain:

- a. A description of the noncompliance and its cause;
- b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
- c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The Board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II I 1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I 2.

NOTE: The immediate (within 24 hours) reports required in Parts II G, H and I may be made to the

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Department's Regional Office. Reports may be made by telephone or by fax. For reports outside normal working hours, leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Management maintains a 24 hour telephone service at 1-800-468-8892.

J. Notice of Planned Changes.

1. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

(1) After promulgation of standards of performance under Section 306 of Clean Water Act which are applicable to such source; or

(2) After proposal of standards of performance in accordance with Section 306 of Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal;

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or

c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

2. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

K. Signatory Requirements.

1. Registration Statement. All registration statements shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. Reports, etc. All reports required by permits, and other information requested by the Board shall be signed by a person described in Part II K 1, or by a duly authorized representative of that

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person. A person is a duly authorized representative only if:

- a. The authorization is made in writing by a person described in Part II K 1;
- b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
- c. The written authorization is submitted to the Department.

3. Changes to authorization. If an authorization under Part II K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to the Department prior to or together with any reports, or information to be signed by an authorized representative.

4. Certification. Any person signing a document under Parts II K 1 or 2 shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to Comply.

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to Reapply.

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall submit a new registration statement at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Board. The Board shall not grant permission for registration statements to be submitted later than the expiration date of the existing permit.

N. Effect of a Permit.

This permit does not convey any property rights in either real or personal property or any exclusive

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privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State Law.

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by Section 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II U), and "upset" (Part II V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and Hazardous Substance Liability.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Sections 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper Operation and Maintenance.

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of solids or sludges.

Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to Mitigate.

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to Halt or Reduce Activity not a Defense.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass.

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II U 2 and U 3.

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2. Notice
 - a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least ten days before the date of the bypass.
 - b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II I.
3. Prohibition of bypass.
 - a. Bypass is prohibited, and the Board may take enforcement action against a permittee for bypass, unless:
 - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (3) The permittee submitted notices as required under Part II U 2.
 - b. The Board may approve an anticipated bypass, after considering its adverse effects, if the Board determines that it will meet the three conditions listed above in Part II U 3 a.

V. Upset.

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of Part II V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.
2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and that the permittee can identify the cause(s) of the upset;
 - b. The permitted facility was at the time being properly operated;
 - c. The permittee submitted notice of the upset as required in Part II I; and
 - d. The permittee complied with any remedial measures required under Part II S.
3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and Entry.

The permittee shall allow the Director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or

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as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit Actions.

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permits.

1. Permits are not transferable to any person except after notice to the Department. Except as provided in Part II Y 2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.

2. As an alternative to transfers under Part II Y 1, this permit may be automatically transferred to a new permittee if:

- a. The current permittee notifies the Department at least 30 days in advance of the proposed transfer of the title to the facility or property;
- b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
- c. The Board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2 b.

Z. Severability.

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

Certified true and accurate: _____

Robert Burnley, Director
Department of Environmental Quality

Date: _____

FACT SHEET

ISSUANCE OF A GENERAL VPDES PERMIT FOR DISCHARGES FROM PETROLEUM CONTAMINATED SITES AND HYDROSTATIC TESTS

FACT SHEET

ISSUANCE OF A GENERAL VPDES PERMIT FOR DISCHARGES FROM PETROLEUM CONTAMINATED SITES AND HYDROSTATIC TESTS

The Virginia State Water Control Board has under consideration the issuance of a general permit for discharges from petroleum contaminated sites and for discharges associated with hydrostatic testing. This general permit will replace the General VPDES Permit for Discharges from Petroleum Contaminated Sites, VAG83, which expires February 25, 2003. Owners covered under the expiring general permit, who wish to continue to discharge under a general permit, must register for coverage under the new general permit.

Permit Number: VAG83

Name of Permittee: Any owner in the Commonwealth of Virginia agreeing to be regulated under the terms of this general permit.

Facility Location: Commonwealth of Virginia

Receiving Waters: Surface waters within the boundaries of the Commonwealth of Virginia, except waters specifically named in Board Regulations or Policies which prohibit such discharges.

On the basis of preliminary review and application of lawful standards and regulations, the State Water Control Board proposes to issue the general permit subject to certain conditions and has prepared a draft permit. The Board has determined that this category of discharges is appropriately controlled under a general permit. The category of discharges to be included involves facilities with the same or similar types of operations and the facilities discharge the same or similar types of wastes. The draft general permit requires that all covered facilities meet standard effluent limitations, conditions and monitoring requirements.

Persons may comment in writing on the proposed issuance of the general permit within 60 days from. Comments should be addressed to the contact person listed below. Comments shall include the name, address, and telephone number of the writer, and shall contain a complete, concise statement of the factual basis for comments. Only those comments received within this period will be considered by the Board.

All pertinent information is on file and may be inspected, and arrangements made for copying by contacting Jon van Soestbergen at:

Virginia Department of Environmental Quality
P.O. Box 10009
Richmond, Virginia 23240
(804) 698-4117

A public hearing will be held on this draft permit. Notice of the public hearing will be published in newspapers and in the Virginia Register. Following the public hearing comment period, the Board will make its determinations regarding the proposed issuance.

Activities Covered By This General Permit

Petroleum contamination can occur as a result of leaks from above ground or underground storage tanks, pipeline leaks, surface oil spills and poor housekeeping at facilities that handle petroleum products. When the structural integrity of storage tanks or pipelines is tested with water pressure, the water may become contaminated with petroleum products. For the purposes of this general permit, "petroleum products" means petroleum-based substances comprised of a complex blend of hydrocarbons derived from crude oil such as motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents and used oils. Petroleum products does not include hazardous waste as defined by the Virginia Hazardous Waste Regulations, 9 VAC 20-60-10 et seq.

Contaminants may be introduced into surface waters when potable, or non-potable waters are used to hydrostatically test new or repaired petroleum or natural gas pipelines or petroleum storage tanks. These tests are commonly done in the pipeline industry and even though the events are usually sporadic in nature, they may produce a discharge significant in volume. Therefore, a general permit would adequately govern this type of activity.

This general permit will cover point source discharges of pollutants to surface waters resulting from petroleum contaminated sites. The following specific activities are covered: excavation dewatering, bailing ground water monitoring wells, ground water pump tests to characterize site conditions, hydrostatic testing of petroleum storage tanks or pipelines, ground water pumping associated with petroleum product recovery, or discharges resulting from another petroleum product cleanup approved by the Department.

The effluent limits in the proposed general permit are established according to the type of petroleum product causing the contamination and the nature of the waterbody receiving the discharge. Due to U.S. EPA concerns for impacts on threatened and endangered species, the permit will not consider less stringent effluent limits for discharges that occur within a period of 72 consecutive hours and occurring at least 3 years apart.

Proposed Effluent Limitations and Monitoring Requirements

Discharges Contaminated with Gasoline
Freshwater Receiving Water body

<u>Parameter</u>	<u>Limitation</u>
Flow	No limit, monitoring required
Benzene	50 ug/l instantaneous max.
Toluene	175 ug/l instantaneous max.
Ethylbenzene	320 ug/l instantaneous max.
Total Xylenes	82 ug/l instantaneous max.
Total Recoverable Lead ¹	$e^{(1.273(\ln \text{hardness})) - 4.705}$
Hardness ²	mg/l, no limit
pH	6.0 inst. min.- 9.0 inst. max.
MTBE	1840 ug/l

¹ Monitoring this parameter is required only when contamination results from leaded fuel.

² Monitoring effluent hardness is required only when contamination results from leaded fuel. Hardness is needed to determine the lead effluent limit. The minimum hardness that may be used to derive the lead effluent limit is 25 mg/l.

Discharges contaminated with petroleum products other than gasoline:
Freshwater Receiving Water Body

<u>Parameter</u>	<u>Limitation</u>
Flow	No limit, monitoring required
Naphthalene	62 ug/l instantaneous max.
Total Petroleum Hydrocarbons	15 mg/l instantaneous max.
pH	6.0 inst. min.- 9.0 inst. max.
Semi-volatile Organics ³	No limit, monitoring required
Volatile Organics ³	No limit, monitoring required
Dissolved Metals ³	No limit, monitoring required

Saltwater Receiving Water body;

Discharges contaminated with gasoline:

<u>Parameter</u>	<u>Limitation</u>
Flow	No limit, monitoring required
Benzene	50 ug/l instantaneous max.
Toluene	500 ug/l instantaneous max.
Ethylbenzene	4.3 ug/l instantaneous max.
Total Xylenes	74 ug/l instantaneous max.
Total Recoverable Lead ¹	8.5 ug/l instantaneous max.
pH	6.0 inst. min.- 9.0 inst. max.
MTBE	440 ug/l instantaneous max.

Saltwater Receiving Water body

Discharges contaminated with petroleum products other than gasoline:

<u>Parameter</u>	<u>Limitation</u>
Flow	No limit, monitoring required
Naphthalene	23.5 ug/l instantaneous max.
Total Petroleum Hydrocarbons	15 mg/l instantaneous max.
pH	6.0 inst. min.- 9.0 inst. max.
Semi-volatile Organics ²	No limit, monitoring required
Volatile Organics ²	No limit, monitoring required
Dissolved Metals ²	No limit, monitoring required

All monitoring is required to be conducted by grab samples collected monthly, except semi-volatile organics, volatile organics and heavy metals which are monitored annually.

¹ Monitoring this parameter is required only when contamination results from leaded fuel.

² Monitoring for these parameters is required only when contamination results from used oils.

All Receiving Waters
Hydrostatic Test Discharges

<u>Parameter</u>	<u>Limitation</u>
Flow	NL
pH	6.0 to 9.0 standard units
Total Petroleum Hydrocarbons (TPH)	15 mg/l instantaneous max
Total Organic Carbon (TOC)	NL
Total Suspended Solids (TSS)	NL
Total residual chlorine (TRC)	.011 mg/l instantaneous max

Other Permit Conditions

The general permit prohibits discharge of floating solids or visible foam in other than trace amounts.

A condition is proposed in order to clarify the requirement for reporting of effluent monitoring results. Discharge monitoring is required each month in which a discharge occurs. For months when no discharge occurs, the permittee must submit a DMR certifying that there was no discharge. This system will allow DEQ to verify that either the effluent met the permit limits or that there was no discharge during the month.

Permittees that discharge treated wastewater are required to develop an Operations and Maintenance manual for the permitted treatment works. This requirement is imposed to assure proper operation and maintenance of facilities discharging under the general permit.

In order to assure that the proposed cleanup is conducted according to the methods in the approved Registration Statement, the permittee must construct treatment works prior to discharging and the permittee must notify the Department within 5 days of commencement of operation.

The general permit contains a condition designed to prevent pollution from materials stored on the site, which are not otherwise controlled by the effluent limitations.

If the proposed discharge is to surface waters via a municipal storm sewer system, the general permit requires the permittee to notify the owner of the storm sewer system. This is required in order to facilitate the municipality's efforts to control dry weather flows from the storm sewer.

A request for termination of coverage under the permit is required to provide documentation for the permittee and the Department that the activities covered under the general permit have been concluded and coverage is no longer needed.

The general permit anticipates that the covered treatment works will not be treating sewage from other users or indirect dischargers. Therefore, the permit contains no conditions applicable to such users.

Revisions to Expiring VPDES General Permit for Petroleum Contaminated Sites

Wastewater from the hydrostatic testing of natural gas and petroleum pipelines and storage tanks have been added to this general permit. The bases for effluent limits from these discharges are discussed below.

Effluent limits for methyl tertiary butyl ether (MTBE) have been revised. The bases for these changes are discussed below.

Analytical methods specified in the permit for certain constituents have been changed to reflect the latest techniques available for detecting these constituents.

Basis for Effluent Limitations - Discharges of Gasoline Contaminated Water

This general permit contains both technology-based and water quality-based effluent limits. Where both types of limits were available, the more stringent of the two was chosen. The U.S. EPA has developed a model NPDES permit for discharges from gasoline contaminated underground storage tank sites. The model permit provides technology-based effluent limitations for surface water discharges. The technology basis for those limitations is free product removal followed by air stripping. The limits are set for benzene and the sum of benzene, toluene, ethylbenzene, and xylenes (BTEX). These parameters are used as indicators of the compounds most likely to be found in gasoline. Benzene is considered a good indicator of the removal of volatile organic gasoline constituents via air stripping because of its relatively high water solubility and low volatility compared to other gasoline components.

The EPA model permit states that air strippers have the potential to operate at 99.5% efficiency and it uses this as the basis for limitations on benzene and BTEX. However, it also states that one cannot assume optimal operational conditions at all times and that permit limitations must be achievable with existing technology at reasonable cost. The model permit then establishes optional limitations based on 95% removal efficiency. The 95 percent efficiency rating accounts for operational difficulties which may be encountered during periods of low temperature and/or high humidity when air strippers may not be expected to perform at the 99.5% peak efficiency level. The EPA Treatability Database (RREL Version 5.0) contains information on treatment of the BTEX compounds at various concentrations by air stripping and granular activated carbon. The average removal efficiencies in contaminated ground water are as follows: benzene 97%, toluene 97.4%, ethylbenzene 87% and xylene 88%. The 95% removal efficiency also provides the possibility for considerable cost savings for the tank owners/operators involved in cleaning up underground storage tank (UST) sites, many of whom are small businesses without the resources to install state-of-the-art equipment. The number of sites cleaned up under the Virginia Petroleum Storage Tank Fund would also increase if the cost per site were less.

The technology-based benzene limit of 50 ug/l in the EPA model permit is derived by assuming a concentration of 1 mg/l benzene in the influent to the treatment system and 95% removal. Thus, the technology-based limitations of 50 ug/l in this general permit are based on the 95% removal efficiency assumption allowed in the EPA model permit.

The water quality-based effluent limitations in this general permit are established pursuant to the VPDES Permit Regulation, 9 VAC 25-31-220 D, and the policy stated in the Virginia Water Quality Standards, 9 VAC 25-260-140 B. The limits are set at what are believed to be safe concentrations for the protection of beneficial uses including the growth and propagation of aquatic organisms inhabiting surface waters which

receive the discharge. They assume zero dilution of the effluent by the receiving waters so that they can be applied without regard to effluent or receiving water flows. They are based on information provided in EPA criteria documents for priority pollutants, EPA toxicity databases and conservative application factors.

The aggregate parameter BTEX is used in the EPA model NPDES permit previously discussed to limit 4 parameters. It sets an effluent limitation for BTEX at 750 ug/l based on an assumed influent BTEX concentration of 15 mg/l and the 95% air stripper removal efficiency. The model permit document states that the composition of gasoline is highly variable and any one of the four BTEX components may be the primary constituent. The discussion of water quality-based limits which follows identifies cases where the 750 ug/l technology-based limitation on BTEX would not protect aquatic life from adverse effects.

In some circumstances, if a specific BTEX component were to dominate the mixture the resulting effluent could be toxic at, or below, 750 ug/l. For instance, Thomas and Delfino (1991) found that toluene comprises about 50% of the total BTEX in gasoline when analyzed by EPA Methods 610 and 602. If the BTEX limit were set at 750 ug/l then this could allow up to 375 ug/l of toluene in an effluent. The discussion on water quality-based limits which follows sets a limit of 175 ug/l for toluene in discharges to freshwater. The same researchers found that xylenes made up about 30% of the total BTEX in gasoline. When applied to the 750 ug/l BTEX limit in the EPA model permit this results in a possible xylene discharge level of 225 ug/l. Based on available information, total xylenes should not exceed 82 ug/l in freshwater. Without limits on individual parameters, ethylbenzene in discharges to saltwater could still be chronically toxic at the 100 ug/l BTEX technology-based limit given in the model permit using 99.5% removal efficiency.

Based on this discussion, the general permit does not contain a technology-based BTEX limit. Instead, it establishes water quality-based limits on the individual components (benzene, toluene, ethylbenzene and total xylenes), which result in lower total BTEX levels in the discharge. When the proposed limits for individual components are summed, the BTEX value for the freshwater discharges is 627 ug/l and for discharges to saltwater the value is 628.3 ug/l.

Benzene

The EPA criteria document for benzene (EPA 440/5-80-018) states that benzene may be acutely toxic to freshwater organisms at concentrations as low as 5,300 ug/l. This is an LC50 value for rainbow trout. The document also states that acute toxicity would occur at lower concentrations among more sensitive species. No data were available concerning the chronic toxicity of benzene to sensitive freshwater organisms. The derivation of a "safe level" for benzene was based on the 5,300 ug/l LC50. This value was divided by 10 in order to approximate a level which would not be expected to cause acute toxicity. (The use of an application factor of 10 was recommended by the National Academy of Sciences in the EPA's publication "Water Quality Criteria, 1972" (EPA/R3/73-033). This use of application factors when setting water quality criteria is still considered valid in situations where data are not sufficient to develop criteria according to more recent guidance.) The resulting "non-lethal" concentration of 530 ug/l was divided by an assumed acute to chronic ratio of 10 to arrive at the water quality-based permit limitation of 53 ug/l. (When actual data are not available, EPA, in the Technical Support Document for Water Quality-based Toxics Control (EPA/505/2-90-001) recommends using an acute to chronic ratio of 10). The EPA model permit's technology-based 50 ug/l value is more protective, therefore, it was chosen over the 53 ug/l water quality-based concentration.

The limited data for benzene and saltwater organisms in the EPA criteria document indicates that stress and survival effects occur at concentrations as low as 700 ug/l when fish are exposed for long periods. Based on

the application of a 0.10 safety factor to this chronic effect concentration, the water quality-based limit for discharges to saltwater streams would be 70 ug/l. Once again, the 50 ug/l technology-based limitation is recommended because it is attainable and more protective.

Ethylbenzene

The EPA criteria document for ethylbenzene (EPA 440/5-80-048) gives an acute effects concentration of 32,000 ug/l. This is an LC50 for bluegill sunfish. Acute toxicity may occur at lower concentrations if more sensitive species were tested. No definitive data are available on the chronic toxicity of ethylbenzene to freshwater organisms. In order to derive an acceptable level of ethylbenzene for the protection of freshwater organisms the acute value of 32,000 ug/l was divided by 100, using the same assumptions employed above for benzene. The resulting value of 320 ug/l is the proposed freshwater effluent limit for ethylbenzene.

According to the criteria document, ethylbenzene is acutely toxic to certain saltwater organisms at concentrations as low as 430 ug/l and may be acutely toxic at lower concentrations if more sensitive organisms are tested. Dividing this number by the 100 application factor yields the proposed effluent limit of 4.3 ug/l for discharges to saltwater receiving waters.

The Virginia human-health water quality standards for ethylbenzene are 3,100 ug/l and 29,000 ug/l for drinking and non-drinking waters, respectively. The proposed effluent limits based on aquatic toxicity are more stringent than human-health based standards and should be protective of human health concerns.

Toluene

The EPA criteria document for toluene (EPA 440/5-80-075) states that acute toxicity to freshwater organisms occurs at 17,500 ug/l and would occur at lower concentrations if more sensitive organisms were tested. No data are available on the chronic toxicity of toluene to freshwater species. Based on the available data for acute toxicity and dividing by the application factor of 100, the proposed effluent limit for toluene discharged to freshwater is 175 ug/l.

The available data indicate that toluene is chronically toxic to certain saltwater organisms at concentrations as low as 5,000 ug/l. Chronic toxicity levels are expected to occur at lower concentrations if more sensitive organisms are tested. Dividing this chronic effects level by 10 resulted in the proposed saltwater discharge effluent limit of 500 ug/l.

The Virginia human health standards for toluene in drinking and non-drinking water streams are 6,800 ug/l and 200,000 ug/l, respectively. The proposed effluent limits based on aquatic toxicity are more stringent than human health based standards and should be protective of human health.

Xylene

Xylene is not a 307(a) priority pollutant, therefore no criteria document exists for this compound. There are three isomers of xylene (ortho, meta and para) and the general permit limits are established so that the sum of all xylenes is considered in evaluating compliance. The proposed effluent limits are based on a search of the EPA's AQUIRE data base.. According to AQUIRE, the lowest freshwater LC50 for xylenes is 8,200 ug/l

reported for rainbow trout. Based on the rationale presented earlier for other compounds, this acutely toxic concentration was divided by 10 to account for species that were not tested but which may be more sensitive than rainbow trout. Then, in order to find a concentration that is expected to be safe over chronic exposures, an additional safety factor of 10 was applied to arrive at the proposed effluent limitation of 82 ug/l total xylenes.

Since the general permit was first issued in 1993, EPA has revised the AQUIRE database to add new information and delete data that did not meet their quality assurance requirements. When the saltwater limit for total xylenes was originally developed, the lowest LC50 for saltwater species in the database was 1,300 ug/l for bay shrimp. A recent review of AQUIRE showed that this test has been deleted. The LC50 of 7,400 ug/l for grass shrimp is now the lowest saltwater value in the database. Once again, the LC50 was divided by 100 to derive the effluent limit of 74 ug/l total xylenes. Although this new limit is less stringent than the previous limit, it is allowed under the exceptions to the anti-backsliding provisions of the VPDES Permit Regulation because it is based on new information that was not available at the time the original permit was issued (9 VAC 25-31-220 L 2 b (1)).

There is no Virginia human health water quality standard for xylenes. The Maximum Contaminant Level and Maximum Contaminant Level Goal for xylenes in the EPA Safe Drinking Water Regulation, 40 CFR Part 141, are both set at 10 mg/l. The proposed permit limits based upon aquatic toxicity are more stringent than drinking water standards for xylenes and are expected to be protective of human health.

Lead

The EPA permit model for discharges of petroleum contaminated water does not contain a recommended effluent limit for lead. It is recognized that tetraethyl and tetramethyl lead may be present in gasoline at leaking storage tank sites. These organic lead compounds, if present, are expected to be removed via air stripping along with other volatile organics.

The proposed effluent limits for lead are based upon the Virginia Water Quality Standards for chronic protection of fresh and saltwater organisms. While the water quality standards require analysis for dissolved metals, this permit requires that samples be analyzed for Total Recoverable Lead as required by the Virginia Pollutant Discharge Elimination System (VPDES) Permit regulation 9 VAC 25-31-230C. The chronic standard for lead in saltwater when the general permit regulation was initially adopted was 8.5 ug/l. Less stringent water quality criteria were adopted by the Board on September 25, 1997. The lead standard for saltwater used in the existing general permit, however, cannot be revised due to anti-backsliding requirements and the effluent limit for lead discharged into saltwater must remain at 8.5 ug/l.

Virginia's freshwater lead standard for the chronic exposure of organisms to this constituent is based upon the hardness of the water in the waste stream. The lead standard for chronic toxicity to freshwater aquatic organisms is now calculated by equation 1 (Virginia Water Quality Standard Regulation, adopted September 25, 1997). The freshwater lead standard in the present general permit is more stringent than the lead standard in the 1997 Water Quality Standard Regulation and is calculated from equation 2. Equation 2 was taken from the freshwater lead standard for chronic toxicity listed in Virginia's 1992 Water Quality Standard Regulation (VR 680-21-00).

$$(1) \quad e^{(1.273(\ln \text{ hardness})) - 3.259}$$

$$(2) \quad e^{(1.273(\ln \text{ hardness})) - 4.705}$$

Due to antibacksliding considerations, the permit must continue to base effluent limits for lead on equation 2. The 1992 Water Quality Standard Regulation stipulated that the minimum hardness concentration that may be used to calculate the lead standard was 25 mg/l. The lead effluent limit in the VPDES General Permit for Petroleum Contaminated Sites (effective February 24, 1998), however, failed to specify a minimum hardness that could be used when calculating the lead effluent limit and this appears to have been an oversight. The DEQ recommends using equation 2 to derive the lead limit for discharges into freshwaters. In accordance with the 1992 Water Quality Standard Regulation, the permit also will specify that 25 mg/l is the minimum hardness that may be used to derive the lead standard.

Methyl Tertiary Butyl Ether

Methyl-tert-butyl ether (MTBE) is a common additive in "reformulated" automotive gasolines. This oxygenate is supposed to reduce winter-time carbon monoxide levels in U.S. cities. It also is believed to be effective in reducing ozone and other toxics in the air year-round. If MTBE is used, it can be present in gasoline at up to 15% of the volume of the fuel. MTBE is an extremely hydrophilic compound. Unlike most petroleum products, it readily dissolves in water. The presence of MTBE in gasoline can increase the solubility of the fuel mixture in groundwater. MTBE may be removed from contaminated ground water by air stripping treatment technologies. However, due to its hydrophilic nature, a higher air/water ratio is required to remove this constituent via air stripping than is required for BTEX removal. According to the EPA Treatability Database (RREL Version 5.0), MTBE removal efficiency via air stripping ranges from approximately 63 percent to 79 percent. If the MTBE concentration in the system influent is 10 mg/l and removal efficiency of 75 percent is achieved, air stripping should be capable of reducing the MTBE concentration to 2.5 mg/l.

Neither EPA nor the DEQ has established water quality criteria for MTBE for protection of aquatic life or human health. Literature searches indicated several studies that evaluated the effects of MTBE on aquatic organisms. According to BenKinney et al. (1994), MTBE was acutely toxic (LC50) to green algae (*Selanastrum capricornutum*) at a concentration of 184,000 ug/l. Geiger and associates (1988) found that MTBE was acutely toxic to the fathead minnow (*Pimephales promelas*) at a concentration of 672 mg/l (672,000 ug/l). Application of the customary safety factor of 100 to the LC50 concentration for green algae results in a concentration of 1,840 ug/l. This concentration is recommended as the discharge limit for MTBE into freshwater.

The literature search revealed several studies performed on the toxicity of MTBE to marine organisms. BenKinney et al. (1994) found that MTBE was acutely toxic to the inland silverside (*Menidia beryllina*) at a concentration of 574 mg/l. According to Boeri and associates (1994), MTBE was acutely toxic to mysid shrimp (*Mysidopsis bahia*) at 44 mg/l (44,000 ug/l). Application of the customary safety factor of 100 to the LC50 for the mysid shrimp results in a concentration of 440 ug/l. An concentration of 440 ug/l is recommended as the effluent limit for MTBE discharged into saltwater.

pH

The pH limits in this general permit are based on the Virginia Water Quality Standards and range from a low of six (6) standard units to nine (9) standard units.

Effluent Limitations - Discharges of Petroleum Products other than Gasoline

The EPA model permit for UST remediation sites only addresses gasoline contaminated sites. This general permit is also designed to be used at sites which are contaminated by petroleum products other than gasoline (non-gasoline motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents and used oils). In addition to containing small amounts of the volatile organic compounds such as benzene, these products contain more of the polynuclear aromatic hydrocarbons (PAHs) than are found in gasoline. PAHs are less soluble in water than the volatile compounds and they are less amenable to air stripping. It is possible that a treatment system that is capable of removing the volatile compounds like benzene to acceptable levels may not effectively remove the PAHs. Based upon the types and relative proportions of the constituents present in the non-gasoline petroleum products, benzene and the BTEX constituents are not good indicator parameters to use in evaluating the quality of effluents from sites contaminated with this category of petroleum.

Naphthalene

The effluent limitation for naphthalene proposed in this general permit is a water quality-based limit. It is to be applied at sites where contamination is from diesel or other fuels that are not classified as gasoline. Naphthalene is a component of gasoline and non-gasoline petroleum products, but its relative concentration is higher in products such as diesel and kerosene than in gasoline (Thomas & Delfino, 1991). It is less soluble in water than benzene (solubility 30 mg/l vs 1780 mg/l) and is less amenable to air stripping (Henry's Law Constant 4.83×10^{-4} vs 5.55×10^{-3} @ 25°C). These characteristics make the treatability of naphthalene more similar to that of the heavier PAH components than the BTEX compounds.

PAHs in general are relatively insoluble in water. For instance, the solubilities of the typical petroleum PAHs anthracene, phenanthrene and fluorene are 1.29 mg/l, 0.8 mg/l and 1.9 mg/l, respectively. These compounds are more likely to be found in free product or adsorbed onto soils at a petroleum contaminated site rather than dissolved in ground water. As a moderately soluble compound, naphthalene is more likely to dissolve in ground water and migrate from the source of contamination. Therefore, it occupies an intermediate position between the volatile BTEX compounds and the less soluble PAHs. By selecting naphthalene as the indicator parameter for this category of contaminated sites, the general permit relies on the assumption that if naphthalene has been removed to acceptable levels, then the BTEX components of the petroleum should have been removed and the heavier PAHs associated with the contamination should have either remained in the soils at the source or been reduced to an acceptable level with the treatment for naphthalene.

The limited data available in the EPA Treatability Database indicate that treatment with granular activated carbon (GAC) filtration is more effective in removing naphthalene and other PAHs than is air stripping. Although this general permit does not mandate a treatment technology, the low solubility of PAHs makes them amenable to treatment by GAC filtration of the contaminated ground water.

The EPA criteria document for naphthalene (EPA 440/5-80-059) gives a chronic effect concentration of 620 ug/l with fathead minnows, but it states that effects would occur at lower concentrations if more sensitive freshwater organisms were tested. Dividing this chronic effects level by 10 results in the proposed effluent limit of 62 ug/l for discharges into freshwater streams.

There were no data on the chronic effects of naphthalene on saltwater organisms. The lowest observed LC₅₀

value in the EPA criteria document was given as 2,350 ug/l, in a test with grass shrimp. This was converted to the proposed effluent limit of 23.5 ug/l for discharges to saltwater by dividing by 100.

There is no Virginia human health water quality standard for naphthalene.

Total Petroleum Hydrocarbons

The general permit proposes a technology-based limit of 15 mg/l for the parameter Total Petroleum Hydrocarbons (TPH). This limit is applicable for discharges where the contamination is from petroleum products other than gasoline. It is based on the ability of simple oil/water separator technology to recover free product from water. Wastewater that is discharged without a visible sheen is generally expected to meet this effluent limitation. Monitoring data generated during the term of general permit VAG000002 indicates that effluents are generally below this level. DEQ has utilized an effluent limitation of 15 mg/l oil & grease for many years in individual permits for potential sources of petroleum hydrocarbons. Recently, the DEQ determined that the oil & grease analytical method is better suited for detection of animal and vegetable fats rather than petroleum. Therefore, the parameter TPH is being limited in the general permit rather than oil & grease.

The term "used oils" is used in the general permit to refer to those petroleum products that have served their useful purpose and have been collected for recycling or disposal. Tanks that store used oils are found at industrial sites and at automotive service stations. These tanks have the potential to leak into surrounding soils and contaminate ground water. The materials in used oil storage tanks can be a mixture of motor oils and other petroleum products, as well as solvents or other organic chemicals. Used oils also may contain dissolved metals derived from the machinery from which the oil was recovered. These mixtures pose potential environmental impacts that may not be adequately addressed by the pollutant parameters established to control discharges from the sites contaminated by products other than gasoline. Therefore, the general permit proposes to require that when the contamination is from used oils, additional monitoring shall be conducted to scan the wastewater for a wide range of organic compounds and metals. This information will be evaluated and a decision on the need for additional limits on discharges of this type will be made prior to the expiration date of the general permit. In no case will the general permit allow a discharge of wastewaters if the contamination is from used oils that are classified as hazardous materials according to the Virginia Hazardous Waste Regulation, 9 VAC 20-60-10 et seq.

Basis for Effluent Limits - Hydrostatic Discharges from Hydrostatic Testing of Pipelines and Tanks

In the past, discharges of hydrostatic test waters were not covered by a permit. This was largely due to the amount of time necessary to issue individual permits and limited staff resources. When this permit was reissued in 1998, hydrostatic test waters from petroleum facilities were included so that a VPDES permit could properly govern them. With this reissuance, discharges from hydrostatic testing of natural gas pipelines are being included so that a VPDES permit too may properly govern them.

Natural gas, like other petroleum products, is not constant in its composition or the relative proportions of individual constituents within that product. According to Technocarb (2002), methane typically makes up approximately 95 percent of natural gas by volume. Ethane and propane generally make up approximately two and one percent of the gas, respectively. Other constituents that typically make up the remaining two percent of the mixture include butane, carbon dioxide, and nitrogen. There is no aquatic or human toxicity

data for these compounds.

Discharges from hydrostatically testing pipelines are generally one-time occurrences of less than 48 hours. Such frequencies and durations preclude the necessity for application of toxic parameters except for total residual chlorine (TRC). TRC is potentially present in high concentrations when treated potable water is used as the source water for testing. Discussion of the recommended effluent limits for discharges of hydrostatic test water from natural gas pipelines is presented below. In addition to the effluent limits, the following requirements will also apply to hydrostatic discharges from natural gas pipelines:

1. The equipment being tested shall be substantially free of debris, raw material, product, or other residual materials.
2. The discharge flow shall be controlled in such a manner that prevents flooding, erosion, or excessive sediment influx into the receiving water body.

Total Petroleum Hydrocarbons (TPH)

The limit for TPH is based on the ability of simple oil-water separator technology to recover petroleum from water. Wastewater that is discharged without a visible sheen is generally expected to meet this effluent limitation. DEQ has used this limitation for many individual permits for many years and monitoring data has demonstrated that it is readily achievable. Mass limits are not applicable to this type of pollutant and discharge and are not required.

Total Organic Carbon (TOC)

Total organic carbon (TOC) is monitored to assure that the effluent is not contaminated with non-petroleum organic substances. Staff members generally believe that TOC concentrations in this type of discharge are low. However, should sampling data indicate high levels of TOC, the permit may be modified at a later time to include such a limit.

Total Suspended Solids (TSS)

Total suspended solids (TSS) is monitored to assure that the effluent is not contaminated with excessive amounts of solids that might be flushed out of pipes along with the test waters. If significant concentrations of suspended solids are detected, the permit may be modified at a later time to include a limit.

Total Residual Chlorine (TRC)

Total residual chlorine (TRC) is necessary for those hydrostatic tests that use chlorinated potable drinking water as the source water for testing. The limit is based on the chronic aquatic life criterion in Virginia's water quality standards.

pH

The pH limits in this general permit are based on the Virginia Water Quality Standards and range from 6 standard units to 9 standard units.

Administrative

The general permit will have a fixed term of five (5) years effective upon Board approval. Every authorization to discharge under this general permit will expire at the same time and all authorizations to discharge will be renewed on the same date. Discharges will be covered under the general permit upon approval of the Registration Statement and delivery of a copy of the general permit to the applicant.

This general permit does not apply to any new or increased discharge that will result in significant effects to the receiving waters. That determination is made in accordance with the State Water Control Board's Antidegradation Policy contained in the Virginia Water Quality Standards, 9 VAC 25-260-10 et seq. Antibacksliding will also be considered prior to granting coverage under this general permit to operations currently discharging under another VPDES permit or under an existing Corrective Action Plan general permit.

If an applicant for a discharge appears to qualify for this general permit, the applicant will be required to submit a general permit Registration Statement. The Board will review the Registration Statements received and either send a copy of the general permit to those that qualify, or send a copy of the application for an individual permit to those that do not qualify.

REFERENCES

- Thomas, D.H. and J.J. Delfino. 1991. "A Gas Chromatographic/ Chemical Indicator Approach to Assessing Ground Water Contamination by Petroleum Products." Ground Water Monitoring Review. Fall 1991. pp. 90-100
- BenKinney, M.T., J.F. Barbieri, J.S. Gross, and P.A. Naro. 1994. Aquatic toxicity of methyl-tertiary-butyl ether (MTBE) to aquatic organisms. Presented at the 15th Annual SETAC meeting, October 30, 1994. Denver, Co.
- Boeri, R.L., J.P. Magazu and T.J. Ward. 1994. Acute toxicity of methyl tertiary butyl ether to the mysid, *Mysidopsis bahia*. Study No. 424-AR. T.R. Wilbury Laboratories, Inc., MA.
- Geiger, D.L., D.J. Call, and L.T. Brooke. 1988. Acute Toxicities of Organic Chemicals to Fathead Minnows (*Pimephales promelas*), Vol. 4. Center for Lake Superior Environmental Studies, University of Wisconsin, Superior.
- Technocarb. 2002. Web Page for Technocarb Alternative Fuel Power.
<http://www.technocarb.com/natgasproperties.htm>

Registration Statement and Instructions

GENERAL VPDES PERMIT REGISTRATION STATEMENT - DISCHARGES FROM PETROLEUM CONTAMINATED SITES AND HYDROSTATIC TESTS

The owner shall file a complete VPDES general permit registration statement for discharges from petroleum contaminated sites and hydrostatic tests. Any owner proposing a new discharge shall file a complete registration statement at least 30 days prior to the date planned for commencing operation of the new discharge. Any owner of an existing discharge covered by an individual VPDES permit who is proposing to be covered by this general permit shall file the registration statement at least 180 days prior to the expiration date of the individual VPDES permit. Any owner of an existing discharge not currently covered by a VPDES permit who is proposing to be covered by this general permit shall file a complete registration statement. The required registration statement shall contain the following information:

1. Legal Name of Facility_____
2. Location of Facility (Address and Telephone Number)

3. Facility Owner (individual or corporate)_____
4. Address of Owner_____
Street

City State Zip
5. Phone_____
Home Work
6. Nature of the business conducted at the facility_____
7. Has a site characterization report for this site been submitted to the Department of Environmental Quality?
Yes____No____
8. Are central wastewater treatment facilities available to this site? Yes____No____ If yes, has the option of discharging to the central facilities been evaluated? What was the result of that evaluation?

9. Does this facility currently have a permit issued by the Board? Yes____ No____
If yes, please provide permit number:_____
10. Pollution Complaint Number (if applicable)_____
11. Is the material being treated or discharged classified as a hazardous waste under the Virginia Hazardous Waste Regulation, 9 VAC 20-60-10 et seq.? Yes____ No____

GENERAL VPDES PERMIT REGISTRATION STATEMENT
FOR DISCHARGES FROM PETROLEUM CONTAMINATED SITES AND HYDROSTATIC TESTS
Page 2.

12. Identify the discharge point and the waterbody into which the discharge will occur. _____
13. Attach a diagram of the proposed wastewater treatment system identifying the individual treatment units. _____
14. Attach a topographic or other map which indicates the receiving waterbody name, the discharge point(s), the property boundaries, as well as springs, other surface waterbodies, drinking water wells, and public water supplies, which are identified in the public record or are otherwise known to the applicant, within a 1/2 mile radius of the proposed discharge(s).

For DEQ use only:	Waterbody _____
Basin _____	Stream Class _____ Section _____
Special Standards _____	

15. Type of petroleum product(s) causing or that caused the contamination. _____
16. Which activities will result in a point source discharge from the petroleum contaminated site? (Check all that apply)
- ___ Excavation Dewatering
 - ___ Purging Ground Water Monitoring Wells
 - ___ Aquifer Tests to Characterize Site Conditions
 - ___ Hydrostatic Relief of Building or Parking Deck Underdrains
 - ___ Hydrostatic Tests of Petroleum Storage Tanks or Pipelines
 - ___ Hydrostatic Tests of Natural Gas Pipelines
 - ___ Pumping Contaminated Ground Water to Remove Petroleum Products From The Ground
 - ___ Other (specify) _____
17. How often will the discharge occur (e.g. daily, monthly, continuously)? _____
18. Estimate how long each discharge will last _____ hours/days
19. Estimate total volume of wastewater to be discharged _____ Gal.
20. Estimate maximum flow rate of the discharge _____ Gal/day.

GENERAL VPDES PERMIT REGISTRATION STATEMENT
FOR DISCHARGES FROM PETROLEUM CONTAMINATED SITES AND HYDROSTATIC TESTS
Page 3.

Certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations. I do also hereby grant duly authorized agents of the Department of Environmental Quality, upon presentation of credentials, permission to enter the property for the purpose of determining the suitability of the general permit.

Signature: _____ Date: _____

Print Name: _____

Title: _____

For Department use only:

Registration Statement Accepted/Not Accepted by: _____ Date: _____

INSTRUCTIONS FOR COMPLETING THE GENERAL VPDES PERMIT REGISTRATION STATEMENT FOR DISCHARGES FROM PETROLEUM CONTAMINATED SITES AND HYDROSTATIC TESTS

General

A registration statement must be submitted to the Department of Environmental Quality in order for a discharge to be covered under the General VPDES Permit for Discharges from Petroleum Contaminated Sites.

Questions 1 and 2: Facility Information

Give the name of the business or other entity that occupies the site where the discharge is proposed to occur. Provide either the street address or other information that will allow DEQ personnel to locate the site. Give a telephone number at the site so that DEQ can contact someone at the facility.

Questions 3, 4 and 5: Owner Information

Provide the full name, street address and telephone numbers of the owner to whom the permit will be issued. This person, firm, public organization or other entity is the party responsible for the control of the facility's operation.

Question 6: Nature of Business

Give a brief statement as to what usual business activities are conducted at the site of contamination.

Question 7: Site Characterization

Please indicate if a site characterization report has been submitted to the DEQ. NOTE: An SCR is required from the person responsible for conducting the release investigation and performing corrective action. If you are not a Responsible Person (RP), you are NOT required to submit an SCR.

Question 8: Central Wastewater Availability

The owner should investigate the possibility of discharging to central sewer prior to requesting coverage under this general permit. If central sewer is in the vicinity but access for this discharge is denied, make that statement in the space provided.

Questions 9 and 10: Permit/Pollution Complaint Numbers

If the facility has already been permitted to discharge and has a discharge permit number, or if the facility is responsible for the release and the DEQ has issued a Pollution Complaint Number for the site, fill in the appropriate blanks with the permit or pollution complaint number. In some instances the applicant should fill in both questions; in others only one question may apply.

Question 11: Hazardous Material Statement

Indicate yes or no in the blanks provided. The general permit cannot be used to cover the treatment or discharge of hazardous materials.

Question 12: Discharge Location

Provide a narrative description of the point of discharge (e.g. northwest corner of intersection of First St. and Second Ave.) Give the name of the stream, lake, river, etc. that the discharge will go into (e.g. Unnamed Tributary to Clear Creek). If the discharge is to enter a storm drain, give the name of the owner of the storm drain system (e.g. Fairfax Co. storm drain inlet).

Question 13: Treatment Works Design

Attach a line drawing that traces the flow of wastewater from one treatment unit to the next. This drawing may be a sketch that shows, conceptually, what system will be used to treat wastewater so that it will meet the effluent quality requirements of the general permit. Identify all treatment technologies that will be employed at the facility.

Question 14: Topographic Map

The topo map should be a copy of the USGS 7.5 minute quadrangle that encompasses the facility and the surrounding property for at least 1/2 mile in all directions. Maps other than the USGS quadrangle may be substituted if they provide at least the same level of detail. The required information should be clearly marked on the map. Information regarding public water supplies and private wells may be obtained from local health department officials.

Question 15: Type of petroleum products involved

The type of petroleum products that are involved in the contamination will determine the conditions under which the general permit is issued. It is important to list or describe all of the materials involved.

Question 16: Proposed activities

Select all of the categories that apply to this proposed discharge. If events at the facility will cause the discharge to change over time from one category to another, indicate all categories that are anticipated.

Questions 17, 18, 19 and 20: Discharge Information

Provide estimates of the frequency at which the discharge will occur, the duration of the discharge and of the amount and flow rate of wastewater to be discharged.

Certification Statement:

State statutes provide for severe penalties for submitting false information on this registration statement. State regulations require that the registration statement be signed as follows:

For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. {If the title of the individual signing is Plant Manager, submit a written verification that the facility employs more than 250 people or has gross annual sales or expenditures in excess of \$25 million (in 1980 dollars) and that authority to sign the registration statement has been delegated to the Plant Manager in accordance with corporate procedures.};

For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.

Letter Requirements and Example Letters

Example Letter:

Letter requesting the RP to obtain coverage under General VPDES Permit for Petroleum Contaminated Sites and Hydrostatic Tests

Date

Addressee

re: Site Name/Location:
Facility and Tank Identification (if applicable):
DEQ Tracking Number: PC#____ (if applicable)

Dear _____:

Information presented to or known by Department of Environmental Quality (DEQ) staff indicates that one or more activities planned for the referenced site may cause a [pick one: discharge of petroleum contaminated water into surface water, discharge of hydrostatic test waters into surface water]. In order to ensure the protection of human health and the environment, DEQ believes that these activities need to be covered under the General VPDES Permit for Discharges from Petroleum Contaminated Sites and Hydrostatic Tests (*staff may, at their discretion, list specific activities that they believe need to be permitted*).

Please complete the General VPDES Permit Registration Statement and return it to this office by **[date]**. Instructions for completing the Registration Statement are also enclosed.

If you have any questions, please feel free to call me at **[phone number]**.

Very truly yours,

DEQ Case Manager

enclosures Petroleum General Permit Regulation (9 VAC 25-120-10 et seq.)
Registration Statement
Instructions for completing the Registration Statement

(revised 12/9/03)

Requirements for Transmittal Letter Petroleum General Discharge Permit

- Identify Permit #
- List site name and address
- List PC# (if applicable)
- The effective date of coverage under the permit is the date of the transmittal letter
- Remind permittee that they are required to submit DMRs, on a monthly basis, for each outfall
- If used oil contributed to contamination at the site
 1. Direct permittee to submit analytical results for semivolatile organics, volatile organics, and dissolved metals along with the first set of DMRs. These results should be included with the DMRs but not be written on the DMRs.
 2. The permittee must collect samples for semivolatile, volatile, and metal constituents within 72 hours of initiating the discharge
 3. Remind permittee that they only need to analyze samples for semivolatiles, volatiles, and metals once per year.
- Inform permittee that copies of the DMRs are enclosed and the permittee is responsible for making additional copies of the DMRs
- Instruct permittee where to send DMRs
- Remind the permittee that they must develop and maintain an O&M Manual at the site if they will treat or store wastewater prior to discharge.
- Inform permittee that if they wish to terminate permit coverage for inactive outfalls or the entire site, they should fill out the enclosed Termination of Coverage Request form and send it to the Case Manager
- Send letter via Certified Mail with Return Receipt Requested
- Signatory Requirements

The letter must be signed by the Remediation Manager or other Regional Program Manager (e.g. Permit Program Manager). See Agency Policy Statement No. 2-2003, Delegation of Authority, June 20, 2003.
- Enclosures

Discharge Monitoring Reports
Permit Cover Page
Applicable Effluent Limitations and Monitoring Requirements
Parts I.B and II of the Permit
Termination of Coverage Request form

(revised 1/14/04)

Example Letter:

Transmittal Letter for General VPDES Permit for Discharges from Petroleum Contaminated Sites and Hydrostatic Tests

Date

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Addressee

RE: Coverage under the General VPDES Permit for Discharges from Petroleum Contaminated Sites and Hydrostatic Tests

VAG83 fill in 4 digit tracking #

Site Name and Address

PC# (if applicable)

Dear _____:

We have reviewed your Registration Statement received on **[date]** and determined that the **[discharge(s)]** outlined on that statement **is/are** hereby covered under the referenced general VPDES permit. The effective date of your coverage under this general permit is the date of this letter. The enclosed copy of the general permit contains the applicable effluent limitations, monitoring requirements and other conditions of coverage.

The permit requires effluent sampling and reporting on a monthly basis. Discharge monitoring Reports (DMRs) that you may use to report sampling results are enclosed. You are responsible for making additional copies of the DMR(s) as needed. Separate DMRs must be completed for each permitted outfall and DMRs must be submitted for each outfall regardless of whether a discharge from that outfall occurred during the previous month. If a discharge did not occur from a particular outfall during the previous month, please write "no discharge" on the DMR. You are required to submit completed DMRs by the 10th of each month to:

**Compliance Auditor
Regional Office Address**

Insert the following paragraph if wastewater will be treated or stored prior to discharge

Information provided on the Registration Statement indicates that wastewater will be discharged through a treatment works. Within 30 days of the date of this letter, you are required to develop and maintain on site an Operation and Maintenance (O&M) Manual for this permitted treatment works (see Part I.B.3 of the Permit).

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This general permit will expire on February 25, 2008. The conditions of the permit require that you submit a new registration statement no later than 180 days prior to the date of permit expiration if you wish to continue coverage under the permit.

If you wish to terminate permit coverage for inactive outfalls or the entire site, please fill out the enclosed Termination of Coverage Request form and send it to **[Case Manager]** at the address listed above.

Please review the enclosed materials carefully. If you have any questions, please call **[Case Manager]** at **[phone number]**.

Very truly yours,

Remediation Manager

Enclosures: Discharge Monitoring Reports
 Permit Cover Page
 Applicable Effluent Limitations and Monitoring Requirements
 Parts I.B and II of the Permit
 Termination of Coverage Request form

(revised 1/14/04)

Letter Requirements for Termination of Coverage Under the Petroleum General VPDES Permit

- List the Permit #
- Identify the site name and location
- List the PC# (if applicable)
- Identify whether coverage is being terminated for the entire site or for specific outfalls. If specific outfalls are being terminated, it is recommended that you list each outfall that is being terminated by both outfall number and description (e.g. outfall 003 - pump test)
- Signatory Authority:
The letter must be signed by the Remediation Manager or other Regional Program Manager (e.g. Permit Program Manager). See Agency Policy Statement No. 2-2003, Delegation of Authority, June 20, 2003.

(revised 1/14/04)

Example Letter

Termination of Coverage Under the General VPDES Permit for Discharges from Petroleum Contaminated Sites and Hydrostatic Tests

Date

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Addressee

RE: Coverage under the General VPDES Permit for Petroleum Contaminated Sites
VAG83 fill in 4 digit tracking #
Site Name and Address
PC# (if applicable)

Dear _____:

Thank you for submitting a request to terminate coverage under the referenced permit. We have reviewed your request and coverage under the referenced permit is hereby terminated for : **fill in information from A or B below**

A. all surface water discharges at the referenced site

B. the following outfalls

1. outfall #	outfall description (e.g. tank pit dewatering)
2. outfall #	outfall description

The effective date of termination of coverage for the activities listed above is the date of this letter.

If you have any questions, please call [**Case Manager**] at [**phone number**].

Very truly yours,

Remediation Manager

(revised 1/14/04)

**General VPDES Permit for Discharges from Petroleum Contaminated Sites
and Hydrostatic Tests
Termination of Coverage Request**

**General VPDES Permit for Discharges from Petroleum Contaminated Sites
and Hydrostatic Tests
Termination of Coverage Request**

Date: _____

Attn: _____
(fill in name of Regional Case Manager, Storage Tank Program)

Permit #: VAG83 _____

Site Name: _____
(please match facility name listed on the Registration Statement)

Please denote your termination of coverage request by placing an "x" in front of either request 1 or 2 below
(do not place an "x" in front of both requests).

1. ____ I hereby request termination of coverage under the General VPDES Permit for Discharges from
Petroleum Contaminated Sites and Hydrostatic Tests for the facility listed above.
2. ____ I hereby request termination of coverage under the General VPDES Permit for Discharges from
Petroleum Contaminated Sites and Hydrostatic Tests for the outfalls listed below:

Outfall Number	Outfall Description
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Signature: _____

Date: _____

Print Name: _____

Title: _____

FOR DEQ USE ONLY

Termination request accepted / not accepted (please circle decision) by: _____

Date: _____

(revised 2/28/03)

**General VPDES Permit for Discharges from Petroleum Contaminated Sites
and Hydrostatic Tests**

TRANSFER OF OWNERSHIP AGREEMENT FORM

General VPDES Permit for Discharges from Petroleum Contaminated Sites and Hydrostatic Tests

TRANSFER OF OWNERSHIP AGREEMENT FORM

SUBJECT: Modification of VPDES Permit for Discharges from Petroleum
Contaminated Sites and Hydrostatic Tests No. VAG83 _____

TO: Department of Environmental Quality
_____ Regional Office

Attn: _____
Environmental Manager, Remediation

I hereby agree to the transfer of ownership modification to General VPDES Permit for Discharges from Petroleum Contaminated Sites and Hydrostatic Tests No. VAG83 _____. As the new permittee, I agree to accept all conditions and responsibilities of the permit.

The effective date of the transfer of ownership is:

_____, ____.

CURRENT PERMITTEE:

NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

NEW PERMITTEE:

NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____